

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

STUART ELCONIN ROSOFF,

Plaintiff,

v.

**UNITED STATES OF AMERICA,
et al.,**

Defendants.

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Civil Action No. 3:10-CV-2471-O-BD

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the Recommendation of the United States Magistrate Judge filed on February 8, 2011 in accordance with 28 U.S.C. § 636(b)(1). *See* ECF No. 39. The Magistrate Judge recommends denying Defendants United States of America, David Berkebile, and Christine Mendoza's Rule 12(b)(6) motion to dismiss. *Id.* at 1. No objections have been filed. Having reviewed all relevant matters of record in this case, the Court finds that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Accordingly, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the Magistrate Judge and **DENIES** Defendants' Rule 12(b)(6) motion without prejudice.

SO ORDERED on this **2nd** day of **March, 2011**.



Reed O'Connor
UNITED STATES DISTRICT JUDGE